

Message Text

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PAGE 01 CANBER 07630 01 OF 02 030710Z

ACTION EA-12

INFO OCT-01 EUR-12 ISO-00 FEA-01 AID-05 CEA-01 CIAE-00

COME-00 DODE-00 EB-08 FPC-01 H-01 INR-07 INT-05

L-03 NSAE-00 NSC-05 OMB-01 PM-05 USIA-06 OES-07

SP-02 SS-15 STR-05 TRSE-00 ACDA-12 NRC-05 IO-13

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R 030603Z NOV 77

FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC 1670

INFO AMEMBASSY PARIS

AMEMBASSY VIENNA

ERDA HQ GERMANTOWN

ERDA HQ WASHDC

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EO 11652: NA

TAGS: EMIN, ENRG, MNUC, TECH, AS, US

SUBJ: CONFIDENTIAL GOA NUCLEAR DOCUMENT LEAKED

1. BEGIN SUMMARY: DFA CONFIDENTIAL DOCUMENT (REPEATED
PARA 6) REFLECTING VIEWS OF AMBASSADOR AT LARGE (FOR NUCLEAR
AFFAIRS) MR. JUSTICE FOX, ON NUCLEAR SAFEGUARDS WAS LEAKED
NOVEMBER 2 TO DEPUTY LEADER OF FEDERAL OPPOSITION, TOM UREN,
WHO IN TURN ALERTED PRESS. CRITICS OF AUSTRALIAN URANIUM
MINING ARE POINTING OUT THAT JUSTICE FOX'S DOUBTS ABOUT US
NUCLEAR SAFEGUARDS POLICY IS EVIDENCE THAT ASSURANCES CANNOT
BE GIVEN THAT AUSTRALIAN URANIUM COULD NOT BE DIVERTED TO
NON-PEACEFUL USES. INADEQUACIES OF US POLICY, ACCORDING
TO CRITICS, MAKE AUSTRALIAN URANIUM MINING UNTENABLE
BECAUSE US NUCLEAR SAFEGUARDS POLICY SUPPORTS GOA
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PAGE 02 CANBER 07630 01 OF 02 030710Z

DECISION TO MINE URANIUM.

2. DFA SOURCE INFORMED RESOURCES ATTACHE THAT DOCUMENT
APPEARING IN PRESS IS AUTHENTIC BUT ASSURED RA THAT GOA
FULLY SUPPORTS US NUCLEAR SAFEGUARDS INITIATIVES.
MAJOR CONCERN WITH LEAKED DOCUMENT IS FACT THAT LEAK
OCCURRED, NOT THE CONTENT OF THE DOCUMENT WHICH DFA

SOURCE SAID IS REALLY NOTHING NEW. END SUMMARY.

3. LEAKED DOCUMENT IS RECORD OF CONVERSTATION WITH JUSTICE FOX ON SEPTEMBER 29, 1977, AT WHICH TIME HE BRIEFED GOA GROUP ON HIS IMPRESSIONS ON NUCLEAR SAFEGUARDS FOLLOWING EXTENSIVE TRAVEL ABROAD. DFA SOURCE POINTED OUT TO RA THAT DOCUMENT IS QUOTE SUMMARY OF A SUMMARY OF FOX'S DISCUSSIONS WITH OVER 200 PEOPLE, AND THERE IS DANGER OF REMARKS BEING TAKEN OUT OF CONTEXT. END QUOTE.

4. HIGHLIGHTS OF JUSTICE FOX'S REMARKS ARE: (A) PRESIDENT CARTER'S NONPROLIFERATION POLICY IS AMBIGUOUS AND UNCERTAIN; (B) US AND CANADIAN NUCLEAR POLICIES HAD DRAWN ATTENTION TO DANGERS ASSOCIATED WITH REPROCESSING AND BREDDER REACTORS; (C) DOUBTED CARTER POLICY WOULD WORK BECAUSE DICTATION AND DISCRIMINATION POSED BY RESTRAINTS ON REPROCESSING AND BREEDERS WERE AT CORE OF DEVELOPING COUNTRY HOSTILITY; (D) CONCERN ABOUT ABILITY OF IAEA TO ADMINISTER SAFEGUARDS; (3) NEED INTERNATIONAL ACTION TO IMPROVE NUCLEAR CONTROL; AND (F) PRINCIPAL REQUIREMENT WAS TO INCREASE CONFIDENCE INTERNATIONALLY AGAINST DIVERSION OF NUCLEAR MATERIALS TO MILITARY PURPOSES.

5. FOREIGN MINISTER PEACOCK, IF ASKED IN PARLIAMENT LIMITED OFFICIAL USE

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PAGE 03 CANBER 07630 01 OF 02 030710Z

BOUT JUSTICE FOX'S VIEWS, WILL STATE RELATIVE TO US PLICY THAT: (A) DOCUMENT REVEALS NOTHING NEW CONCERNING QUESTIONS ABOUT US SAFEGUARDS POLICY; (B) GOA REALIZES THAT US POLICY DEPENDENT ON FINAL CONGRESSIONAL APPROVAL, THEREFORE, EXACT CONTENT AT THIS TIME CANNOT BE DISCERNED; (C) GOA FULLY SUPPORTS US NUCLEAR SAFEGUARDS POLICY; (D) INFCE VIEWED AS POSITIVE STEP IN ESTABLISHING INTERNATIONAL NUCLEAR SAFEGUARDS; (E) INTERNATIONAL CONSULTATIONS REQUIRED TO DEAL WITH ISSUE OF NUCLEAR FUELS REPROCESSING.

6. FOLLOWING IS TEXT OF CONFIDENTIAL DOCUMENT AS IT APPEARED IN SYDNEY MORNING HERALD OF NOVEMBER 3. AUTHENTICITY OF DOCUMENT VERIFIED BY DFA OFFICIAL.

QUOTE MAIN SUBJECTS: NUCLEAR NONPROLIFERATION.

MR. JUSTICE FOX INVITED OFFICIALS CONCERNED WITH URANIUM AND NONPROLIFERATION MATTERS TO HEAR HIS IMPRESSIONS OF HIS RECENT OVERSEAS VISIT. IN A MEETING LASTING NEARLY THREE HOURS, JUDGE FOX MADE THE FOLLOWING MAIN POINTS: THE PRINCIPAL PURPOSE OF HIS VISIT HAD BEEN TO INVESTIGATE THE PROLIFERATION PROBLEM.

IN THE UNITED STATES, HE HAD FOUND THE CARTER NONPROLIFERATION
POLICY TO BE AMBIGUOUS AND UNCERTAIN. THERE WERE WIDELY
DIVERGENT VIEWS WITHIN THE ADMINISTRATION. MOREOVER, THE
FILLS BEFORE CONGRESS WERE MORE DRACONIAN THAN
ADMINISTRATION POLICY AND REPRESENTED A MOVE TOWARDS
QUOTE NUCLEAR ISOLATIONISM. UNQUOTE

INTERNATIONALLY, THERE WAS RECOGNITION THAT THE UNITED
STATES AND CANADIAN NUCLEAR POLICIES HAD DRAWN ATTENTION
TO THE PARTICULAR DANGERS ASSOCIATED WITH REPROCESSING
AND BREEDER REACTORS. THERE WERE, HOWEVER, STRONG
RESERVATIONS ABOUT THE SOUNDNESS OF THOSE POLICIES.
RESTRAINTS ON REPROCESSING AND BREEDERS WERE SEEN AS
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PAGE 04 CANBER 07630 01 OF 02 030710Z

CONSTITUTING INTERFERENCE WITH NATIONAL ENERGY PROGRAMS
AND AS UNDERMINING TH FORCE OF THE NPT AS NONPROLIFERATION
INSTRUMENT. US/CANADIAN POLICIES WERE DEEPLY RESENTED IN
WESTERN EUROPE, BRAZIL AND JAPAN AND THERE WAS GENERAL
OPPOSITION ELSEWHERE TO THE PROPOSITION THAT THERE COULD
BE NO REPROCESSING OF AMERICAN-SUPPLIED MATERIAL WITHOUT
UNITED STATES' CONSENT. MR. JUSTICE FOX HAD ENCOUNTERED

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PAGE 01 CANBER 07630 02 OF 02 030717Z
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FM AMEMBASSY CANBERRA
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THIS SENTIMENT IN DISCUSSIONS HE HAD HELD IN VIENNA AND NEW YORK WITH REPRESENTATIVES OF DEVELOPING COUNTRIES SUCH AS EGYPT, IRAN, PAKISTAN, INDIA, ARGENTINA AND THE PHILIPPINES. HE CONSIDERED THAT DICTATION AND DISCRIMINATION WERE AT THE CORE OF DEVELOPING COUNTRY HOSTILITY. THERE WAS CLEARLY A BELIEF THAT ARTICLE IV OF THE NPT HAD BEEN COMPROMISED, SUSPICION ABOUT THE ROLE OF NUCLEAR SUPPLIERS' GROUP AND A TENDENCY TO VIEW THE MATTER IN THE CONTEXT OF NORTH/SOUTH ISSUES. FOR THESE REASONS, THE JUDGE DOUBTED THAT THE CARTER POLICY WOULD WORK. CANADIAN POLICY WAS STILL SUFFERING FROM THE TRAUMA CAUSED BY THE INDIAN NUCLEAR EXPLOSION. WE SHOULD NOT REGARD CURRENT POLICY AS ENTRENCHED. MR. JUSTICE FOX CONSIDERED THAT CANADIAN POLICY SHOULD MOVE INNERQUOTE IN MORE SOUND DIRECTIONS. END INNERQUOTE
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PAGE 02 CANBER 07630 02 OF 02 030717Z

THE JAPANESE WERE PLEASED WITH THE DEAL THEY HAD NEGOTIATED WITH THE UNITED STATES ON THE OPERATION OF THEIR REPROCESSING PLANT. THE JUDGE HAD BEEN TOLD, INCLUDING BY THE FOREIGN MINISTER, THAT JAPAN WOULD BE PREPARED TO ACCEPT MULTI-NATIONAL MANAGEMENT OF THE REPROCESSING FACILITY.

BRAZIL'S POSITION HAD BEEN MISREPRESENTED TO SOME EXTENT. IF FACED A GENUINE PROBLEM IN ASSURING ITS ENERGY REQUIREMENTS. IT WAS PREPARED TO ACCEPT STRICT SAFEGUARDS AND TO BEHAVE AS IF IT WERE A PARTY TO THE TREATY OF TLAELOLCO (THE LATIN AMERICAN NUCLEAR FREE ZONE). THE IDEA OF A NUCLEAR WAR IN SOUTH AMERICA WAS RIDICULOUS. THE UNITED STATES HAD MADE A MAJOR ERROR BY SEEKING TO DRIVE BRAZIL INTO A CORNER. THE JUDGE HAD BEEN INFORMED IN WEST GERMANY THAT THAT COUNTRY HAD REFUSED TO MAKE ANY CHANGES TO THE NUCLEAR SUPPLY ARRANGEMENTS IT HAD NEGOTIATED WITH BRAZIL AND INNERQUOTE WOULD NOT DARE END INNERQUOTE TO DO SO.

BILATERAL SAFEGUARDS ARRANGEMENTS WERE BECOMING INORDINATELY COMPLEX, BUT WERE THE BEST WE HAD AT THE MOMENT. THERE WAS CONCERN ABOUT THE ABILITY OF THE IAEA TO ADMINISTER SAFEGUARDS SATISFACTORILY AND PROBLEMS IN REGARD TO MULTILABELLING AND DIFFERING TERMS OF SUPPLY. THERE WAS A NEED

FOR INTERNATIONAL ACTION TO IMPROVE THE NUCLEAR CONTROL
ARRANGEMENTS.

THE PRINCIPAL REQUIREMENT WAS TO INCREASE CONFIDENCE
INTERNATIONALLY AGAINST THE DIVERSION OF NUCLEAR MATERIALS
TO MILITARY PURPOSES. THIS WAS PARTICULARLY SO WHILE
CONTRIES LIKE ISRAEL AND SOUTH AFRICA WERE ABLE TO
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PAGE 03 CANBER 07630 02 OF 02 030717Z

EXPLOIT THEIR POTENTIAL FOR NUCLEAR WEAPONS DEVELOPMENT
OR UNCERTAINTY ABOUT THEIR INTENTIONS FOR POLITICAL
ENDS. MULTINATIONAL MANAGEMENT OF REPROCESSING CENTRES
WOULD PROVIDE SUCH CONFIDENCE, BOTH TO THE PARTICIPANTS
AND THE REST OF THE WORLD.

MR. JUSTICE FOX HAD FLOATED ON HIS OWN ACCOUNT THE IDEA
OF MULTI-NATIONAL CENTRES DURING HIS DISCUSSIONS OVERSEAS.
HE HAD FOUND THE PROPOSAL HAD BEEN ENTHUSIASTICALLY
RECEIVED AND HAD ALMOST UNIVERSAL APPROVAL. HE HAD NOT
REFINED HIS THINKING ON HOW THE IDEA MIGHT BE IMPLEMENTED
OR UNDER WHAT AEGIS IT MIGHT BE SPONSORED - IAEA, OECD,
NSG OR INFCE. HE THOUGHT, HOWEVER, IT WOULD BE BEST TO
AVOID DRAWING UP AN INTERNATIONAL TREATY AND WONDERED
WHETHER IT COULD BE ACHIEVED BY THE SIMPLE PASSAGE OF A
RESOLUTION THROUGH THE IAEA. THE PROPOSAL WAS LESS
AMBITIOUS THAN THE IAEA STUDY ON REGIONAL FUEL CENTRES.
HE BELIEVED THAT AUSTRALIA HAD A RESPONSIBILITY TO TRY TO
DEVELOP THE CONCEPT. WE ARE INNERQUOTE CLEAN-SKINNED
END INNERQUOTE AND WERE NOW IN A POSITION TO EXERT INFLUENCE.
END QUOTE.
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Message Attributes

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Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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